

Remarks:

Prior to entry of the present amendment, claims 1-21 and 24-31 remain pending in the application. Claims 1-8, 10 and 13-31 stand finally rejected variously under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a). Claims 9, 11 and 12 are objected to as being dependent upon a rejected base claim, but the Examiner has indicated that such claims would be allowable if rewritten in independent form to include the features of the base claim and any intervening claims. Pursuant to this amendment, claims 9, 11 and 12 are each placed in independent form, and thus are understood to be allowable in accordance with the Examiner's indication of allowable subject matter. Also pursuant to this amendment, claims 5, 8 and 24 are cancelled without prejudice.

Of the remaining claims, claims 1-3, 16-18, 20, 26, 27, 30 and 31 stand rejected under 35 U.S.C. § 102(e) based on Peng et al. (U.S. Patent Application Publication No. 2003/0151922 A1), and claims 4, 6, 7, 10, 13-15, 19, 21, 25, 28 and 29 stand rejected under 35 U.S.C. § 103(a) based on Peng et al. (U.S. Patent Application Publication No. 2003/0151922 A1) variously in combination with Rodriguez, Jr. et al. (U.S. Patent No. 6,082,864), Matsuda et al. (U.S. Patent No. 6,726,336) and Binzer et al. (U.S. Patent No. 3,787,674).

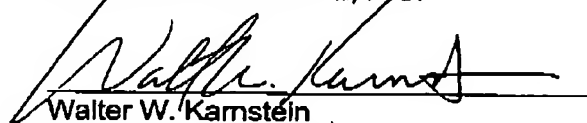
Applicant submits herewith a Declaration Under 37 C.F.R. § 1.131, demonstrating applicant's conception and diligent reduction to practice from a time preceding January 31, 2003 (the effective date of Peng et al.). Peng et al. thus is removed from the prior art. The remaining rejections under 35 U.S.C. § 102(e) and under 35 U.S.C. § 103(a) thus are rendered moot, and claims 1-3, 4, 6, 7, 10, 13-21 and 25-31 are allowable over the remaining art.

Page 9 - AMENDMENT
Serial No. 10/616,677
HP Docket No. 200308977-1
KH Docket No. HPCC 395

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

KOLISCH HARTWELL, P.C.



Walter W. Kamstein

Registration No. 35,565

Customer No. 23581

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679

Attorney for Applicant

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner R. Blackman, Group Art Unit 2851, Assistant Commissioner for Patents, at facsimile number (703) 872-9306 on December 20, 2004.



Christie A. Doolittle

Page 10 -

AMENDMENT

Serial No. 10/616,677

HP Docket No. 200308977-1

KH Docket No. HPCC 395